

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

UNITED STATES OF AMERICA

v.

JEROME HAGINS

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CR 609-010

O R D E R

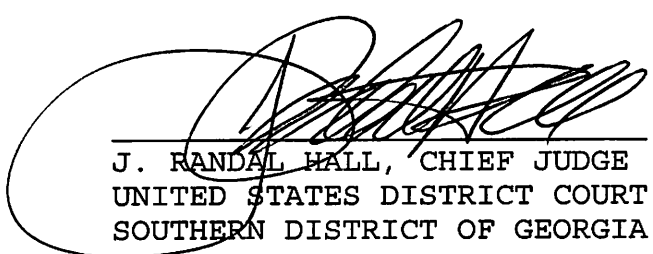
In the captioned criminal matter, Defendant Jerome Hagins has filed a "Motion for Time Credit" in which he seeks a certain period of time presumably served in federal custody to be credited against his federal sentence.

Matters of credit for time served and other length of sentence determinations are better directed to the Bureau of Prisons ("BOP"), not this Court. Indeed, a prisoner must exhaust his administrative remedies with the BOP prior to seeking judicial relief. Rodriguez v. Lamer, 60 F.3d 745, 747 (11th Cir. 1995). Moreover, a judicial challenge to the BOP's decision regarding the execution of a federal sentence must be brought under 28 U.S.C. § 2241 in the district of confinement rather than in the sentencing court. Fernandez v. United States, 941 F.2d 1488, 1495 (11th Cir. 1991); see also United States v. Nyhuis, 211 F.3d 1340, 1345 (11th Cir. 2000) ("A claim for credit for time served is brought under 28 U.S.C. §

2241 after the exhaustion of administrative remedies.").
Accordingly, once Defendant exhausts his administrative remedies with the BOP, he must bring his § 2241 challenge in the Southern District of West Virginia, which has territorial jurisdiction over the facility in which Defendant is presently incarcerated. This Court simply does not have jurisdiction to consider the matter. See Rumsfield v. Padilla, 542 U.S. 426, 442-43 (2004) .

Upon the foregoing, Defendant's "Motion for Time Credit" (doc. 76) must be **DENIED**. The Clerk is directed to serve the Defendant at FCI McDowell, 101 Federal Drive, Welch, WV 24801.

ORDER ENTERED at Augusta, Georgia, this 28th day of August, 2018.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA